

**FILED**  
JUN 19 2018

JUDGE REINHARD

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

MAGISTRATE JUDGE JOHNSTON

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION

UNITED STATES OF AMERICA

vs.

MICHELLE L. MCKINNEY

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**18 CR 50030**

No. \_\_\_\_\_  
Violation: Title 18, United States Code,  
Section 1343

**COUNT ONE**

The FEBRUARY 2017 GRAND JURY charges:

1. At times material to this indictment:

a. Company A was a roofing company that operated a cloud-based construction management program. From 2013 through March 2014, Company A was located in Rockton, Illinois and from March 2014 through 2016, Company A was located in Beloit, Wisconsin.

b. Defendant MICHELLE L. MCKINNEY was employed by Company A as an account manager.

c. As the account manager, defendant MICHELLE L. MCKINNEY was issued a corporate American Express credit card with number xxxx-xxxxx9-31101. The monthly statements for American Express credit card number xxxx-xxxxx9-31101 were sent to Company A's office in Rockton, Illinois and Beloit, Wisconsin. In 2015, defendant MICHELLE L. MCKINNEY was issued two corporate American Express credit cards with numbers xxxx-xxxxx9-32109 and xxxx-xxxxx9-31150.

d. When an American Express card was swiped at a point of sale terminal or keyed in, a signal was sent from the merchant's location to American Express in Phoenix, Arizona where the transaction was approved or declined. The merchant then sent via wire transmission a batch of all approved American Express charges to American Express in Phoenix, Arizona. American Express subsequently wire transferred the merchant payment from American Express's bank account in Minneapolis, Minnesota.

2. From at least as early as June 2013, and continuing to at least September 2016, in Rockford, Roscoe and Machesney Park, within the Northern District of Illinois, Western Division, and elsewhere, including Wisconsin:

MICHELLE L. MCKINNEY,

defendant herein, knowingly devised, and intended to devise, and participated in a scheme to defraud Company A and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and by concealment of materials facts, which scheme is more fully set out below.

3. It was the object of the scheme that defendant would and did enrich herself by obtaining at least \$400,000 in property and funds of Company A which she used for her own benefit without Company A's knowledge or consent.

4. It was a part of the scheme that in 2013 and 2014 defendant MICHELLE L. MCKINNEY made numerous unauthorized purchases for her personal benefit in Rockford, Roscoe, Machesney Park and elsewhere with Company A's corporate

American Express credit card xxxx-xxxxx9-31101.

5. It was further a part of the scheme that in 2015 and 2016 defendant MICHELLE L. MCKINNEY made numerous purchases for her personal benefit in Rockford, Roscoe, Machesney Park and elsewhere using Company A's corporate American Express credit card xxxx-xxxxx9-32109.

6. It was further a part of the scheme that in 2015, defendant MICHELLE L. MCKINNEY, without permission to do so, had issued in her name corporate American Express credit card xxxx-xxxxx9-31150 under Company A's corporate account.

7. It was further a part of the scheme that in 2015 and 2016, defendant MICHELLE L. MCKINNEY made numerous purchases for her personal benefit in Rockford, Roscoe, Machesney Park and elsewhere using Company A's corporate American Express credit card xxxx-xxxxx9-31150.

8. It was further part of the scheme that defendant did misrepresent, conceal, and hide, and caused to be misrepresented, concealed, and hidden, acts done in furtherance of the scheme and the purpose of those acts.

9. On or about October 20, 2013, at Roscoe, Illinois, in the Northern District of Illinois, Western Division,

MICHELLE L. MCKINNEY,  
defendant herein, for the purpose of executing the scheme to defraud and to obtain money and property by means of materially false and fraudulent pretenses,

representations, and promises, knowingly caused to be transmitted in interstate commerce by means of wire communication, certain writings, signs, and signals, namely, a communication from Roscoe, Illinois to Phoenix, Arizona for approval of defendant's \$271.69 purchase from a Roscoe business using American Express credit card xxxx-xxxxxx9-31101;

In violation of Title 18, United States Code, Section 1343.

**COUNT TWO**

The FEBRUARY 2017 GRAND further charges:

1. Paragraphs 1 through 8 of Count One of this indictment are incorporated here.

2. On or about March 30, 2014, at Machesney Park, Illinois, in the Northern District of Illinois, Western Division,

MICHELLE L. MCKINNEY,

defendant herein, for the purpose of executing the scheme to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and by concealment of materials facts, knowingly caused to be transmitted in interstate commerce by means of wire communication, certain writings, signs, and signals, namely, a communication from Roscoe, Illinois to Phoenix, Arizona for approval of defendant's \$153.65 purchase from a Machesney Park business using American Express credit card xxxx-xxxxx9-31101;

In violation of Title 18, United States Code, Section 1343.

**COUNT THREE**

The FEBRUARY 2017 GRAND further charges:

1. Paragraphs 1 through 8 of Count One of this indictment are incorporated here.

2. On or about December 10, 2015, at Machesney Park, Illinois, in the Northern District of Illinois, Western Division,

MICHELLE L. MCKINNEY,

defendant herein, for the purpose of executing the scheme to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and by concealment of materials facts, knowingly caused to be transmitted in interstate commerce by means of wire communication, certain writings, signs, and signals, namely, a communication from Machesney Park, Illinois to Phoenix, Arizona for approval of defendant's \$846.19 purchase from a Machesney Park business using American Express credit card xxxx-xxxxx9-32109;

In violation of Title 18, United States Code, Section 1343.

**COUNT FOUR**

The FEBRUARY 2017 GRAND further charges:

1. Paragraphs 1 through 8 of Count One of this indictment are incorporated here.

2. On or about February 3, 2016, at Rockford, Illinois, in the Northern District of Illinois, Western Division,

MICHELLE L. MCKINNEY,

defendant herein, for the purpose of executing the scheme to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and by concealment of materials facts, knowingly caused to be transmitted in interstate commerce by means of wire communication, certain writings, signs, and signals, namely, a communication from Rockford, Illinois to Phoenix, Arizona for approval of defendant's \$264.18 purchase from a Machesney Park business using American Express credit card xxxx-xxxxx9-31150;

In violation of Title 18, United States Code, Section 1343.

**FORFEITURE ALLEGATION**

The ACTING UNITED STATES ATTORNEY alleges:

1. The allegations contained in this Indictment are realleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. As a result of her violation of Title 18, United States Code, Section 1343, as alleged in Counts One through Four of this Indictment,

MICHELLE L. MCKINNEY,

defendant herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all right, title, and interest in property, real and personal, which constitutes and is derived from proceeds traceable to the charged offense. The property to be forfeited includes, but is not limited to, at least \$475,775.84 in United States currency, which represents proceeds obtained, directly or indirectly, as a result of defendant's charged scheme to defraud.

3. To the extent that any of the property described above, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred to, sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the court;



- (d) has been substantially diminished in value; or
- (e) has been commingled with other property that cannot be subdivided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 18, United States Code, Section 1963(m), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

A TRUE BILL:

~~FOR~~PERSON

*Margaret J. Schmidt for the*  
UNITED STATES ATTORNEY